

10/536950

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Dated: May 31, 2005

Signature:

Mary Jane Palma
(Mary Jane Palma)

Docket No.: DFMP-P01-480
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Herget et al.

Application No.: Not Yet Assigned

Confirmation No.: Not Yet Assigned

Filed: May 31, 2005

Art Unit: Not Yet Assigned

For: FORMULATIONS USEFUL AGAINST
HEPATITIS C VIRUS INFECTIONS

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement accompanies the new patent application submitted herewith.

Copies of the references on the PTO/SB/08 are not provided because they were previously cited by or submitted to the Office in a prior application number PCT/EP2003/013514, filed December 1, 2003 and relied upon in this application. A copy of the International Search Report for PCT/EP2003/013514 is enclosed.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this

Application No.: Not Yet Assigned

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Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. DFMP-P01-480.

Dated: May 31, 2005

Respectfully submitted,

By 

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	Not Yet Assigned 10/536950
				Filing Date	May 31, 2005
				First Named Inventor	Thomas Herget
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	DFMP-P01-480

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴ -Kind Code ⁵ (if known)				
	BA	DE-36	10 531 A	10-16-1986			
	BB	DE-199	36 672 A	02-15-2001			
	BC	DE-43	20 878 A	01-26-1995			
	BD	EP-1	046 399 A	10-25-2000			
	BE	WO-02/066022	A	08-29-2002			
	BF	WO-02/32413	A	04-25-2002			
	BG	WO-01/037032	A1	11-01-2001			
	BH	WO-97/03682	A	02-06-1997			
	BI	WO-02/084294	A	10-24-2002			
	BJ	WO-03/180719	A1	09-25-2003			
	BK	WO-97/13505	A	04-17-1997			

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Look et al., "Interferon/antioxidant combination therapy for chronic hepatitis C-A controlled pilot trial," Antiviral Research 43(2):113-122 (1999)	
	CB	PCT/EP2003/013514 International Search Report 09/10/2001	

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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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